

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6906 of 2023

Arising Out of PS. Case No.-268 Year-2021 Thana- DORIGANJ District- Saran

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1. Raju Kumar, Son of Lal Babu Mahto, R/V- Jagdishpur P.S- Doriganj, Dist-Saran Bihar
 2. Amarjeet Kumar, Son of Lal Babu Mahto, R/V- Jagdishpur P.S- Doriganj, Dist-Saran Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhat Kumar Singh, Advocate
For the Opposite Party/s	:	Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seek bail in connection with Doriganj P.S. Case No. 268 of 2021 registered for the alleged offences under Section 395 of the Indian Penal Code.

3. As per prosecution case, six miscreants on two motorcycles, stopped the bikes of the informant and his colleague and threatening them with pistol and knife, snatched their mobile phones and cash amounting to Rs. 46,860/-, 52,140/- and 50,150/-, respectively. The name of the petitioners transpired during investigation as two of the



accused persons.

4. The learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners. No Test Identification Parade has been conducted to establish the identity of the petitioners as accused. The petitioners have been roped in this case on the basis of confessional statement of petitioner no.1. The petitioners have been remanded in this case on 01.09.2022 and charge-sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that the petitioners are having long criminal history and are accused in altogether eight cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering fact that no recovery of any incriminating articles has been shown from the petitioners and also considering the period of custody of the petitioners along with submission of charge-sheet against them, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at



Chapra in connection with Doriganj P.S. Case No. 268 of 2021,
subject to the condition mentioned in Section 437(3) of the
Cr.P.C. and other the following conditions:

- (i) One of the bailors will be a close relative of
the petitioners.
- (ii) The petitioners will remain present on each
and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioners will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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